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Attorneys for HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR  
LUMINENT 2007-1

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

In re

JAMES GIBBS,

Debtor(s).

HSBC BANK USA, NATIONAL  
ASSOCIATION AS TRUSTEE FOR  
LUMINENT 2007-1

Movant,

vs.

JAMES GIBBS, Debtor(s); and SHERYL  
ANN STRAIN, Chapter 7 Trustee,

Respondents.

Case No. 10-64039-A

Chapter 7

D.C. No. PD-1

NOTICE OF MOTION FOR RELIEF  
FROM AUTOMATIC STAY  
(11 U.S.C. § 362 and Bankruptcy Rule 4001)

LBR 4001-1 and 9014-1(f)(1)

DATE: March 1, 2011  
TIME: 1:30 p.m.  
CTRM: 11

2500 Tulare Street,  
Fresno, CA 93721

TO THE RESPONDENTS NAMED ABOVE:

PLEASE TAKE NOTICE that a hearing on the Motion for Relief From Automatic Stay brought by HSBC Bank USA, National Association AS TRUSTEE FOR LUMINENT 2007-1 ("Movant"), will be heard in the courtroom of the Honorable Whitney Rimel in the above-captioned court, located at 2500 Tulare Street, Fresno, CA 93721, on March 1, 2011 at 1:30 p.m.

1 This motion is based on the Motion for Relief From Automatic Stay, the Declaration in Support  
2 of Motion for Relief From Automatic Stay, and the Notice of Motion for Relief From Automatic  
3 Stay, and on such further evidence and oral argument as may be presented to the court at the  
4 hearing.

5 PLEASE TAKE FURTHER NOTICE that the motion is being made pursuant to Local  
6 Bankruptcy Rule 4001-1 and 9014-1(f)(1), 11 United States Code section 362(d), and Federal  
7 Rules of Bankruptcy Procedure 4001.

8 PLEASE TAKE FURTHER NOTICE that any opposition to the granting of the motion  
9 shall be in writing, supported by written evidence, and shall be served on counsel for the Moving  
10 Party, Parada Kovadi, Esq., Pite Duncan, LLP, 4375 Jutland Drive, Suite 200 San Diego, CA  
11 92177-0933, and filed with the Clerk by the Responding Party, at the United States Bankruptcy  
12 Court, 2500 Tulare Street, Fresno, CA 93721, not less than fourteen (14) calendar days preceding  
13 the noticed (or continued) date of hearing.

14 The opposition shall specify whether the responding party consents to the Court's  
15 resolution of the disputed material factual issues pursuant to FRCivP 43(e) as made applicable by  
16 FRBP 9017. If the responding party does not so consent, the opposition shall include a separate  
17 statement identifying each disputed material factual issue. The separate statement shall  
18 enumerate discretely each of the disputed material factual issues and cite the particular portions  
19 of the record demonstrating that a factual issue is both material and in dispute. Failure to file the  
20 separate statement shall be construed as consent to resolution of the motion and all disputed  
21 material factual issues pursuant to FRCivP 43(e). Movant hereby waives the time constraints set  
22 forth in Title 11 U.S.C. § 362(e) and consents to a hearing on the within Motion beyond the  
23 thirty (30) day time limitation required under the Bankruptcy Code.

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PLEASE TAKE FURTHER NOTICE that unless written opposition and supporting evidence are timely filed with the Clerk of the Court, and served on the Moving Party, the court may strike untimely filed written opposition and resolve the matter without oral argument or impose sanctions.

Dated: January 28, 2011

PITE DUNCAN, LLP

/s/ PARADA KOVADI (CA SBN 272724)  
PARADA KOVADI  
Attorneys for HSBC BANK USA,  
NATIONAL ASSOCIATION AS  
TRUSTEE FOR LUMINENT 2007-1